

**WORKERS COMPENSATION COURT OF THE STATE OF MONTANA**

ROBERT FLYNN and CARL MILLER )

vs. )

MONTANA STATE FUND, et al )

WCC No. 2000-0222

**FILED**

FEB 22 2006

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

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**AFFIDAVIT OF ALFRED W. BODI FOR AND ON BEHALF OF  
NORTH AMERICAN ELITE INSURANCE COMPANY**

STATE OF NEW HAMPSHIRE )

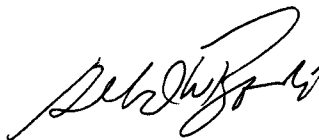
) ss.

COUNTY OF HILLSBOROUGH )

1. I, Alfred W. Bodi, being first duly sworn, on oath depose and say:
2. I am employed by North American Elite Insurance Company ("NAE") as Senior Vice President, Claims. As part of my employment responsibilities, I am responsible for supervising the handling and management of workers compensation claims under policies issued by NAE.
3. In my capacity as Senior Vice President, Claims, of NAE, I am authorized to make the statements set forth in this affidavit on behalf of NAE and to bind NAE by these statements.
4. After a review of our records, I swear under oath that NAE should be dismissed from the above-entitled action for any or all of the following reasons:
  - (a) NAE has never written any written workers' compensation insurance in the state of Montana;
  - (b) NAE does not have any Montana workers' compensation insurance claims; and
  - (c) NAE has no claimants meeting the Court's criteria in this matter as set forth in the summons.
5. I understand that the Montana Workers' Compensation Court may allow a period of up to 90 days from the date of filing this affidavit within which Petitioners' counsel may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statement(s) made by me on behalf of NAE. After such 90 days, if no objection is lodged by the Petitioners' counsel, the Court will dismiss the insurer/self-insured from this action based on the sworn statements made by me in this affidavit

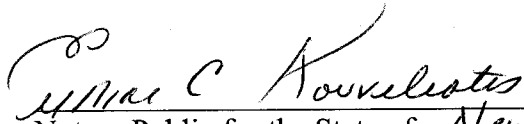
DOCKET ITEM NO. 469

6. The above is true and correct to the best of my knowledge.



Alfred W. Bodi.  
Date: 1/24/06

So subscribed and sworn to before me this 24<sup>th</sup> day of January, 2006,



Notary Public for the State of New Hampshire  
My Commission Expires: \_\_\_\_\_

EUNICE C. KOUVELIOTIS, Notary Public  
My Commission Expires January 4, 2010